GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services- Municipal Administration & Urban Development Department – Certain irregularities committed in allowing unauthorized constructions in deviation to the sanctioned plan in Bhimavaram Municipality - Disciplinary Proceedings instituted under Rule 9 of A.P.Revised Pension Rules, 1980 read with Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality - Punishment imposed - Appeal filed – Appeal allowed partly – Reduce the punishment of 5% cut in pension for a period of five (5) years to that of 5% cut in pension for a period of two (2) years – Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VigI) DEPARTMENT

G.O.MS.No. 221 **Dated: 09-07-2018.**

Read the following:-

1. G.O.Rt.No.797, M.A. & U.D. (L2) Department, dated 04.06.2009.
2. Dated Acknowledgement of Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality, dated 19.07.2010.
3. G.O.Rt.No.994, M.A. & U.D.(L1) Department, dated 25.08.2010.
4. G.O.Rt.No.995, M.A. & U.D.(L1) Department, dated 25.08.2010.
5. G.O.Rt.No.1227, M.A. & U.D. (L2) Department, dated 28.10.2010.
6. From the Regional Director-cum-Appellate Commissioner of Municipal Administration & Enquiry Officer, Rajamahendravaram, letter Roc. No.938/2010/A3, dated 06.01.2012.
7. Govt. Memo. No.1688/L2/2009-10, dated 04.05.2012.
8. From Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality, written representation, dated 01.06.2013.
9. Govt. Memo. No.1688/Vig.II/2009, dated 04.12.2015.
10. From Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality, written representation, dated 18.01.2016.
11. Govt. letter No.1688/Vig.II/2009, dated 29.03.2016.
12. From the Principal Secretary, A.P.Public Service Commission, Hyderabad, letter No.276/DC&C/2/2016, dated 06.05.2016.
13. G.O.Rt.No.364, M.A. & U.D.(Vig.II) Department, dated 15.06.2016.
14. From Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality, Appeal Petition dated 05.12.2017.

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O R D E R:

Whereas, it has been brought to the notice of the Government that, certain irregularities committed in allowing unauthorized constructions in deviation to the sanctioned plan in Bhimavaram Municipality and in the G.O.1st read above, departmental action has been initiated against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality, by issuing Articles of Charges against him under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991.

(PTO)

2. The charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.) has not submitted his written statement of defence and dated acknowledgement has been received, vide reference 2nd read above. The matter has been examined and in the G.O.3rd read above, orders were issued, appointing Sri V.Rajendra Prasad, RDMA., Rajamahendravaram as Enquiry Officer to inquire into the charges framed against Sri S.Maqbool Ahmed, the then Municipal Commissioner and eleven (11) others of Bhimavaram Municipality. In the G.O.4th read above, orders were issued, appointing Sri Ch.Naga Narasimha Rao, Municipal Commissioner, Bhimavaram Municipality as Presenting Officer, to present the case before the Enquiry Officer on behalf of the Disciplinary Authority.

3. In the G.O.5th read above, Sri G.V.V.S.Murthy, Municipal Commissioner, Bhimavaram Municipality was appointed as Presenting Officer in place of Sri Ch.Naga Narasimha Rao, Municipal Commissioner, to present the case before the Enquiry Officer on behalf of the Disciplinary Authority.

4. In the reference 6th read above, the RDMA & Enquiry Officer has submitted his Enquiry Report and held that, all charges framed against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality are proved in the inquiry.

5. In the reference 7th read above, a copy of Enquiry Report was communicated to the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality with a direction to submit his written representation if any, on the findings of the Enquiry Officer in terms of Rule 21 (2) of A.P.C.S. (CC&A) Rules, 1991. In the reference 8th read above, the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.) has submitted his written representation, denying the findings of the Enquiry Officer and requested the Government to drop further action against him.

6. The matter has been examined in detail and it has been provisionally decided to impose a penalty of 5% cut in pension for a period of five (5) years against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.) and in the reference 9th read above, a show cause notice has been issued to the charged officer as to why a penalty of 5% cut in pension for a period of five (5) years shall not be imposed on him under Rule 9 of A.P.Revised Pension Rules, 1980 with a direction to submit his written representation. In the reference 10th read above, the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.) has submitted his written representation, denying the provisional decision of the Government and requested the Government to drop further action against him.

7. As no new ground put-forth by the charged officer in his written representation, it has been decided to confirm the penalty of 5% cut in pension for a period of five (5) years against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality and in the reference 11th read above, the Principal Secretary, A.P.Public Service Commission was requested to obtain the concurrence of the Commission on the proposal of the Government.

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8. In the reference 12th read above, the Principal Secretary, A.P.Public Service Commission, Hyderabad has communicated the concurrence of the Commission on the proposed punishment of 5% cut in pension for a period of five (5) years against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality.

9. Government have examined the entire matter carefully and it has been decided to impose a punishment of 5% cut in pension for a period of five (5) years against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.) and in the G.O. 13th read above, orders were issued, imposing a punishment of 5% cut in pension for a period of five (5) years against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality, as all charges held proved in the inquiry, in terms of Rule 9 of A.P.Revised Pension Rules, 1980.

10. In the reference 14th read above, the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality has filed an Appeal Petition before the Government and requested to allow his Appeal and set aside the penalty imposed against him. The matter has been examined in detail and a personal hearing was conducted on 25.01.2018. At the time of personal hearing, the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality has submitted a representation and requested the Government to drop further action against him as was done in precedent cases.

11. Government after careful examination of the matter, have decided to allow the Appeal Petition of Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality partly, and to reduce the punishment of 5% cut in pension for a period of five (5) years already imposed to that of 5% cut in pension for a period of two (2) years against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality. Accordingly, Government hereby order to reduce the punishment of 5% cut in pension for a period of five (5) years already imposed to that of 5% cut in pension for a period of two (2) years against the charged officer Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.), Bhimavaram Municipality.

12. The Director of Municipal Administration, A.P., Guntur shall take further necessary action in the matter, accordingly.

13. The receipt of G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S.Maqbool Ahmed, the then Municipal Commissioner (Retd.),
Bhimavaram Municipality **through** the Director of Municipal Administration, A.P., Guntur.
The Director of Municipal Administration, A.P., Guntur.

Copy to:

The Accountant General (A&E), A.P., Hyderabad.
The Secretary to APVC, 5th Block, A.P. Secretariat, Hyderabad.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER